

From: Gillian Goslinga <gillian.goslinga@gmail.com>
Sent: Wednesday, May 3, 2023 4:11 PM
To: Michael C. Smith <MichaelC.Smith@fcc.gov>
Cc: billy harvey <runninww@gmail.com>; Allison Jones <Allison.Jones@fcc.gov>
Subject: [EXTERNAL]: ASR 1208809

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Dear Mr. Smith, good afternoon,

I am following up on my April 17, 2023 email regarding procedural questions going forward. Questions 1 and 2 still hold, if you would kindly reply; I've been researching 3 on my own but any references to National Programmatic agreements in effect you can give aside from those Ms. Allison Jones referred to in her email to Ms. Carlisle regarding reprocessing Section 106, would still be appreciated!

I have cc.ed Ms. Allison Jones here, also, because of this next and new question for you, as Ms. Jones appears to have been at the helm of the proceedings when we reported over three emails, with evidence, Tilson's blatant violations of your directive not to begin their building process. Perhaps I should be addressing this next question to her and cc.ing you? (Apologies to all if so!)

Will the FCC CIPD be speaking (soon!) to Tilson's violations of your directive not to initiate any part of their building process until compliance is determined?

As we've hopefully demonstrated to you over the past year, we have been working hard and diligently in the public interest to do the right thing by our historic, fragile and rare desert riparian valley, and to hold Tilson and their agents 100% accountable to NEPA and NHPA compliance, the expert agency guidance they have received, and of course, CIPD directives.

For Tilson, these proceedings appear to be mere paper formalities, as evidenced by their confidence in disregarding your directive, among other things.

Please (!) don't let this latest violation and disrespect fall through the cracks unpunished!

Sincerely yours, thank you as always,

Gillian Goslinga Ph.D.
Cornville, AZ

On Mon, Apr 17, 2023 at 11:09 AM Gillian Goslinga <gillian.goslinga@gmail.com> wrote:
Dear Mr. Smith, good afternoon,

I have been trying to reach you (Jennifer Flynn may have relayed a message) to ask you the following procedural questions please:

1. Will all Parties in our proceedings be copied on Tilson's resubmitted Section106 forms and supporting materials, if that is the route they opt for?

2. Since the Hopi Tribe and AZ SHPO have already filed findings of adverse effect from the proposed placement with all the facts on the ground now in hand, and it's unclear why they would reverse their finding at this point, should Tilson take the matter to the National Historic Preservation Office, as Ms. Jones directs them to for an appeal, would all Parties in our proceedings be copied on Tilson and agents submission to the NHPO office and appeals proceedings? Would their new packet and exchanges with the Tribes and state and national historic preservation offices be uploaded to the ASR proceedings webpage?
3. Where can I find details about the formal legalities of that appeal process?

Where I am going with these questions is this, Mr. Smith:

Tilson has demonstrated over and over in these proceedings a willingness to bend procedures where they (thought they) could for their expediency and desired outcome, cherry pick information disclosed to consulting agencies as well as pay "paper" lip service to expert agency and FCC guidance received (the latest: not putting their construction process on hold as required while in NEPA review).

Why would they behave any differently in their communications with the National Historic Preservations Office in an appeal?

What oversight and accountability system is in place to ensure an integrous appeal with all and accurate facts on the ground disclosed, etc.?

Thank you so much for responding to these prudent queries given the nature of the determinations in the case so far.

We are needless to say very grateful to your office for all that you have done and are doing to ensure Tilson meets their NEPA and NHPA review obligations to the full letter of the law.

Sincerely yours,
Gillian Goslinga Ph.D.